

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) ~~Device~~ A device for recording information by writing marks in a track on a record carrier via a beam of radiation, the device comprising
 - ~~[[-]] a head for providing~~ configured to provide the beam,
 - ~~[[-]] a radiation control means for controlling controller~~ configured to control the beam to write the marks in a selected part of the track, the marks having a main mark intensity and a mark length within a predefined range of mark lengths, and
 - ~~[[-]] a secondary radiation control means for controlling controller~~ configured to control the beam to write secondary marks in the same selected part of the track, the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length substantially longer than mark lengths in the predefined range,
 - wherein the secondary radiation controller is adapted to control the beam to create a combination of the marks and secondary marks, and
 - wherein the marks, located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

2. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are~~ controller is adapted ~~for controlling~~ to control the beam to write only secondary marks in the selected part of the track.

3. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are~~ controller is adapted ~~for controlling~~ to control the beam to write a combination of the marks and the secondary marks ~~during said recording of~~ information.

4. (Currently Amended) ~~Device as claimed in claim 3~~ A device for recording information by writing marks in a track on a record carrier via a beam of radiation, the device comprising
a head for providing the beam,
a radiation controller configured to control the beam to write the marks in a selected part of the track, the marks having a main mark intensity and a mark length within a predefined range of mark lengths, and

a secondary radiation controller configured to control the beam to write secondary marks in the same selected part of the track, wherein the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length substantially longer than mark lengths in the predefined range,

wherein the secondary radiation controller is adapted to control the beam to write a combination of the marks and the secondary marks during said recording of information,

wherein the secondary radiation control means are controller
is adapted for controlling to control the beam to create the combination of the marks in which marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark, and in particular the difference being such that in

wherein a scanning signal a level difference between marks and intermediate spaces is substantially equal at both areas of the track.

5. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are controller~~ is arranged for writing to write the secondary marks by controlling a writing power of the radiation of the beam to secondary level that is substantially lower than a writing power for writing the marks.

6. (Currently Amended) ~~Device~~ The device as claimed in claim 1, wherein the secondary radiation ~~control means are controller~~ is arranged for writing to write the secondary marks by controlling the shape of the beam, ~~in particular~~ by an adjustable optical element.

7. (Currently Amended) ~~Record~~ A record carrier carrying information represented by marks in a track, the marks in at least

a part of the track having a main mark intensity and a mark length within a predefined range of mark lengths, and the same part of the track further comprising secondary marks having a secondary mark intensity that is substantially different from the main mark intensity, and the secondary marks having a length substantially longer than mark lengths in the predefined range,

wherein the marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

8. (Currently Amended) ~~Record~~ The record carrier as claimed in claim 7, wherein said different secondary mark intensity is constituted by the secondary marks being effectively narrower than the marks.

9. (Currently Amended) ~~Method~~ A method of recording information by writing marks in a track on a record carrier via a beam of radiation, the method comprising the ~~steps~~ acts of
[[-]] controlling the beam to write the marks in a selected part of the track, the marks having a main mark intensity and mark lengths within a predefined range of mark lengths, and
[[-]] controlling the beam to write secondary marks in the same selected part of the track, the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length substantially longer than mark lengths in the predefined range,

wherein the marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

10. (Currently Amended) ~~Method~~The method as claimed in claim 9, wherein said controlling writing the marks is performed at a first instance in time and writing the secondary marks is performed at a different instance in time during two separate scans of the selected part of the track.

11. (Currently Amended) ~~Device~~A device for reading information represented by marks and additional information represented by secondary marks from a track on a record carrier via a beam of radiation, the marks having a main mark intensity and mark lengths within a predefined range of mark lengths, the secondary marks having a secondary mark intensity that is substantially different from the main mark intensity and a length outside the predefined range of mark lengths, and the marks and the secondary marks being in the same selected part of the track, the device comprising

[[~~-~~]] a head ~~for providing~~ configured to provide the beam,

[[~~-~~]] a front-end unit ~~for generating~~ configured to generate a scanning signal for detecting marks and secondary marks during said scanning, and

[[~~-~~]] a read processing unit ~~for retrieving~~ configured to retrieve the information from the scanning signal, and

[[-]] a secondary read unit ~~for retrieving~~ configured to retrieve additional information encoded in the secondary marks from the scanning signal,

wherein marks located at an area of track having a secondary mark, have a main mark intensity different from the main mark intensity of marks located at an area of the track not having a secondary mark.

12. (New) The device as claimed in claim 1, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.

13. (New) The record carrier as claimed in claim 7, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.

14. (New) The method as claimed in claim 9, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.

15. (New) The device as claimed in claim 11, wherein a scanning signal level difference between marks and intermediate spaces is substantially equal at both areas of the track.